

REMARKS

The last Office Action has been carefully considered.

It is noted that claims 1-6 and 9-11 are rejected under 35 U.S.C. 102(b) over the patent to Oishei.

Claims 1-7 and 14 are rejected under 35 U.S.C. 102(b) over the patent to Scinta.

Also, claim 8 is rejected under 35 U.S.C. 103(a) over the patent to Oishei in view of the patent to Beneteau.

The claims are rejected under 35 U.S.C. 112, and the specification is objected to.

In connection with the Examiner's formal objection to the specification and rejection of claims for formal reasons, applicants have amended the specification and amended the claims correspondingly in compliance with the Examiner's requirements. It is believed that the grounds for the formal objections and rejections are therefore eliminated.

In view of the Examiner's rejection of the claims over the art, applicant has also amended claim 1, the broadest claim on file, to more clearly define the present invention and distinguish it from the prior art.

After carefully considering the Examiner's rejection of the claims over the art, applicant has amended claim 1, the broadest claim on file, to more clearly distinguish the present invention from the prior art. Claim 1 additionally defines that the carrying element has two separate carrying rails, as specifically shown in Figures 3 and 7-9. As explained on page 7 in the first paragraph, in a first mounting step or method step, the two carrying rails 12 must be introduced into their longitudinal grooves 32 in direction of the arrows 70 (Figure 3), which clearly means that there are two separate carrying rails. It is further now stated in claim 1 that the holder has means for connection of a wiper arm. It is therefore clear that the wiper blade of the present invention is not a wiper blade with a carrying bracket frame, but instead a so-called hinge-free wiper blade, as explained in the discussion of the prior art.

not claimed  
as introduced  
in direction  
of arrows 70

Finally, claim 1 defines that the distance ratio must be in the region of the L-legs, which is especially clearly illustrated in Figure 2, and the wiper strip provided with the supporting rails is held by a tension produced

in the longitudinal web. This is explained in the paragraph bridging pages 1 and 2 of the specification.

Turning now to the references and in the particular to the patent to Oishei, it is respectfully submitted that the wiper blade of the present invention is different from the wiper blade disclosed in this reference which deals with a conventional wiper blade for a carrier bracket frame. The connection of the carrying element with the wiper strip in the patent to Oishei is produced by a groove shape of the one-piece carrying element. The both longitudinal rails 31 in the patent to Oishei are fixedly connected with one another by bridges 34. However, at the outer left end of the carrying element (see Figures 4 and 5) a certain flexibility is provided. During mounting in accordance with the patent to Oishei the carrying rails 31 must be compressed until the close 22 engage in the recesses 30. Projections 35 which are provided on the end edges of the carrying rail 31 must press in the neck region 40 of the rubber element and thereby secure a relative position relative to one another.

In the wiper blade of the present invention the inwardly extending projections on the carrying rails serve for an additional securing, but they are not absolutely necessary, to produce a connection between the

carrying element and the rubber wiper strip by the features defined in claim 1. For this purpose in the region of the L-legs the distance between the facing inner edges of the first L-leg must be smaller than the sum of the width of the both carrying rails together with the width of the longitudinal web of the wiper strip. Thereby an incorrect interpretation, as mentioned in the Office Action, is avoided. This interpretation in accordance with which the distance is measured when the claws of a carrying bracketing engage in the recesses introduced along the outer edges of the carrying rails is irrelevant since a tension can not be generated in this way.

The patent to Oishei therefore does not teach the new features of the wiper blade of the present invention and these features can not be derived from it as a matter of obviousness. The patent to Oishei discloses a carrying bracket wiper blade with a carrying element having two longitudinal rails which however must be necessarily connected with one another through webs, in order to achieve the objectives disclosed in this reference. A holder, which has means for connection of a wiper blade and is arranged on an upper band surface of the carrying rails is not disclosed in this reference. The reference does not disclose that with the selected distance in the region of the L-legs a tension in the longitudinal web must be

produced. The projection 35 grasps in this longitudinal web. A tension which is now defined in claim 1 is however not produced.

The same arguments are applicable with respect to the patent to Scinta. This reference discloses a wiper blade with a supporting bracket frame and describes that based on the objectives and the proposed technique the longitudinal rails which must be fixedly connected with one another. Finally the distance features which produce a tension are neither described nor can be considered as obvious from this reference.

This reference taken singly or in combination with the patent to Oishei would not lead to the applicant's invention as defined in claim 1. Claim 1 should be considered as patentably distinguishing over the art and should be allowed.


As for the dependent claims, these claims depend on claim 1, they share their presumably allowable features, and therefore it is respectfully submitted that they should be allowed as well.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

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**OFFICIAL**